

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations.)
(Mendocino, California))

MM Docket No. _____
RM No. _____

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

Pursuant to Section 1.401 of the Commission's rules, George Anderson ("Petitioner") hereby respectfully requests that the Commission institute a rulemaking proceeding for the purpose of amending the FM Table of Allotments by substituting channel 224A for channel 266A for Station KMFB(FM) at Mendocino, California, and modifying the license of Station KMFB(FM) accordingly. Thus, Anderson proposes to amend Section 73.202(b) of the Commission's rules as follows:

	<u>Channel No.</u>	
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Mendocino, California	224A	266A

In support of this request, the following is stated:

As demonstrated in the attached Engineering Statement, the reference coordinates for the proposed channel at Mendocino meet the minimum distance separation requirements with respect to all known licenses, construction permits, pending applications, and pending

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List A B C D E

MMB

01-46

rulemaking proceedings. The Mendocino allotment reference site complies with the minimum spacing requirements contained in Section 73.207 of the Commission's rules. The Petitioner does not propose to move from the station's existing site.

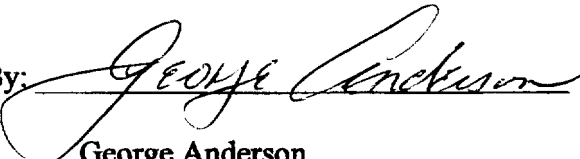
The substitution of channel 224A for 266A will permit an increase of KMFB's power from 3.0 kilowatts to 6.0 kilowatts. The substitution would thereby significantly increase KMFB(FM)'s coverage area by approximately 627.2 square kilometers. The increase would permit service to an additional 1,051 persons.

The FM Table of Allotments was created to allow the Commission to meet its obligation under Section 307(b) and the allotment priorities developed in *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 91 (1982). These were intended to promote the statutory goals underlying Section 307(b). The main objective of the 1982 revision was to provide service of satisfactory signal strength to the whole country, while providing as many program choices to as many listeners as possible and providing service of local origin to as many communities as possible. To these ends, the Commission set forth the following as priorities: (1) first full-time aural service; (2) second full-time aural service; (3) first local service and; (4) other public interest matters (priorities 2 and 3 were given co-equal weight). Thus, the proposed substitution is consistent with the FM priorities and with the Commission's Section 307(b) mandate of providing fair, efficient and equitable distribution of radio services in the United States.

In the event that this petition requesting the substitution of channel 224A for channel 266A at Mendocino, California is granted, Petitioner will promptly file an application for a construction permit for the new channel and, if granted, will implement the change.

WHEREFORE, in light of the foregoing, George Anderson respectfully requests that the Commission GRANT this petition for rulemaking and change KMFB's channel from 224A (92.7 MHz) to Channel 266A (101.1 MHz). This channel change will increase KMFB's power from 3.0 kilowatts to 6.0 kilowatts and will enable the facility to operate as a maximum 6.0 kilowatt Class A broadcast station.

Respectfully submitted,

By: 
George Anderson
Licensee

14200 Prairie Way
Mendocino, CA 95460

May 14, 2001

**ORIGINAL FOR
FILING WITH FCC**

Prepared by:

Graham Brock, Inc.

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BROADCAST TECHNICAL CONSULTANTS

PETITION FOR RULEMAKING
GEORGE ANDERSON
SUBSTITUTE CH 266A FOR CH 224A
MENDOCINO, CALIFORNIA
May 2001

TECHNICAL EXHIBIT

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PETITION FOR RULEMAKING
GEORGE ANDERSON
SUBSTITUTE CH 266A FOR CH 224A
MENDOCINO, CALIFORNIA
May 2001

TECHNICAL STATEMENT

1. This Technical Statement and attached exhibits were prepared on behalf of George Anderson ("Anderson"), licensee of radio station KMFB, Channel 224A, Mendocino, California. Anderson herein requests the substitution of Channel 266A for Channel 224A at Mendocino, California, and requests that KMFB be ordered to change channels.

PROPOSAL

2. The allotment of Channel 266A to Mendocino is fully spaced to all licensed, authorized or proposed facilities. By changing frequencies from Channel 224A to Channel 266A, KMFB can operate as a maximum 6.0 kilowatt 100 meter height above average terrain facility (non-directional) at the existing KMFB transmitter site.¹

3. Therefore, Anderson requests Channel 266A be allotted to Mendocino in substitution for Channel 224A at reference coordinates: North Latitude 39° 20' 33" and West Longitude 123° 46' 51". This represents a site restriction of 3.1 miles north-northwest of the community in order to specify the current KMFB authorized transmitter site. Exhibit #1 is a usable area map for Channel 266A at Mendocino, California, and visually demonstrates where a transmitter site could be located to be adequately spaced to all other Commission authorized facilities. Exhibit #2 is a §73.207 spacing study from the reference site which indicates Channel 266A at Mendocino complies with the Commission's minimum distance separation requirements.

1) In MM Docket #93-310, the Commission noted that no expressions of interest would be accepted since the Commission considers channels of the same class to be equivalent. Therefore, a channel change does not represent an upgrade in the facilities. See *Modification of FM and TV Licenses*, 98 FCC 2nd 916 (1984) and Section 1.420(g) of the Commission's rules.

4. Therefore, Anderson respectfully requests the Commission amend §73.202(b) of its rules as follows:

Mendocino, California

<u>Present</u>	<u>Proposed</u>
224A	266A

PUBLIC INTEREST ASPECTS

5. The allocation of Channel 266A at Mendocino, California, will enable station KMFB to be a maximum Class A facility and provide 60 dBu (1.0 mV/m) service to 19,729 persons² in 2,516.1 square kilometers.³ This represents an increase of 1,051 persons in 627.2 square kilometers over its authorized facilities on Channel 224A at Mendocino.

6. Once Channel 266A is allocated to Mendocino, Anderson will submit a minor change application, FCC Form 301, requesting authorization to implement the change of frequencies at Mendocino. Upon a grant, it will construct the improved KMFB facility.

7. The foregoing technical statement was prepared on behalf of George Anderson by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of its belief and knowledge. All data relating to FM facilities was extracted from the CDBS database, as updated on May 4, 2001. We assume no liability for errors or omissions in the database which may be adverse to the requests contained herein.

2) All population figures were extracted from the 2000 U.S. Census.

3) Based on uniform terrain distribution for a maximum Class A with a service radius of 28.3 kilometers.

7. The foregoing technical statement was prepared on behalf of George Anderson by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of its belief and knowledge. All data relating to FM facilities was extracted from the CDBS database, as updated on May 4, 2001. We assume no liability for errors or omissions in the database which may be adverse to the requests contained herein.

Graham Brock, Inc. - Broadcast Technical Consultants

39-40-00 N

123-20-00 W

123-20-00 W

PROPOSED ALLOCATION SITE

39-20-00 N

USABLE AREA

Bragg

Mendocino

USABLE AREA MAP

EXHIBIT #1
PETITION FOR RULE MAKING
GEORGE ANDERSON
SUBSTITUTE CH 266A FOR CH 224A
MENDOCINO, CALIFORNIA
May 2001

Point Arena

Scale 1:500,000

0 7 14 21 km

**PETITION FOR RULEMAKING
GEORGE ANDERSON
SUBSTITUTE CH 266A FOR CH 224A
MENDOCINO, CALIFORNIA
May 2001**

EXHIBIT #2

CLEARANCE STUDY FOR KMFB MENDOCINO CALIFORNIA
USING PROPOSED/EXISTING SITE AS REFERENCE

REFERENCE		CLASS = A	DISPLAY DATES
39 20 33 N			DATA 05-02-01
123 46 51 W		Current Spacings	SEARCH 05-10-01
----- Channel 266 - 101.1 MHz -----			

Call	Channel	Location	Power	Dist	Azi	FCC	Margin
N. Lat.	W. Lng.				HAAT		

KMFB	266A Mendocino		CA	0.00	0.0		
39 20 33	123 46 51		6.000 kW				
George Anderson							
KTDE	LIC 263B1	Gualala	CA	60.19	162.4	48.0	12.19
38 49 33	123 34 12	CN	6.000 kW		204 M		
		Four Rivers Broadcasting	BLH-19930816KA				
KEKAFM	LIC 268C	Eureka	CA	122.40	347.9	95.0	27.40
40 25 12	124 05 00	CN	89.000 kW		625 M		
		Eureka Broadcasting Co., Inc	BLH-19831212AA				
KTHU	LIC 264B	Corning	CA	116.11	58.1	69.0	47.11
39 53 17	122 37 38	CN	50.000 kW		83 M		
		Results Radio Licensee	BLH-19880419KA				
ALLO	VAC 263A	Gualala	CA	79.83	156.5	31.0	48.83
38 40 58	123 24 51		6.000 kW		100 M		
			BLFT-19991130ABP				
KGRP	LIC 265A	Calistoga	CA	124.50	126.6	72.0	52.50
38 40 09	122 37 53	CN	0.063 kW		898 M		
		Independent Broadcasting	BLH-19960606KC				
ALLO	VAC 266A	Weaverville	CA	170.29	24.6	115.0	55.29
40 44 00	122 56 24	D	6.000 kW		100 M		
			BLFT-40				
970506 CP	266A	Weaverville	CA	173.13	30.2	115.0	58.13
40 41 05	122 44 56	ZCN	0.250 kW		474 M		
		George S. Flinn, Jr.	BPH-19970506MA				
KHYL	LIC 266B	Auburn	CA	244.18	101.9	178.0	66.18
38 51 28	121 01 39	CN	36.000 kW		176 M		
		Amfm Radio Licenses Llc	BLH-19850521KC				

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by George Anderson, licensee of Radio Station KMFB, to prepare the attached Technical Exhibit.

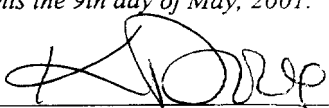
His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 9th day of May, 2001.

Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 9th day of May, 2001.*



Notary Public, State of Georgia
My Commission Expires: April 20, 2002